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FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 10 2019

SEAN F. MCAVOY, CLERK
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YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

10
11 Plaintiff,

12 v.

13 ANGEL LUIS PACHECO,

14 Defendant.

1:19-CR-2040-SAB
INDICTMENT

21 U.S.C. § 841(a)(1), (b)(1)(C)
Possession with Intent to Distribute A
Mixture or Substance Containing A
Detectable Amount of Fentanyl
(Count 1)

21 U.S.C. § 841(a)(1), (b)(1)(C)
Possession with Intent to Distribute A
Mixture or Substance Containing A
Detectable Amount of Cocaine
(Count 2)

18 U.S.C. § 924 (c)(1)(A), (B)(ii)
Possession of Machinegun in
Furtherance of Drug Trafficking Crime
(Count 3)

26 U.S.C. § 5861(d)
Possession of Unregistered Firearm
(Count 4)

18 U.S.C. §§ 922(o), 924(a)(2) -
Illegal Possession of a Machinegun
(Count 5)

25 INDICTMENT

1 18 U.S.C. §§ 922(g)(1), 924(a)(2) -
2 Felon in Possession of Firearm
3 (Count 6)

4 21 U.S.C. § 853, 18 U.S.C. § 924, 26
5 U.S.C. § 5872, 49 U.S.C. § 80303, 28
6 U.S.C. § 2461
7 Forfeiture Allegations

8 The Grand Jury charges:

9 COUNT 1

10 On or about November 14, 2018, in the Eastern District of Washington, the
11 Defendant, ANGEL LUIS PACHECO, did knowingly and intentionally possess
12 with intent to distribute a mixture or substance containing a detectable amount of
13 N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (aka Fentanyl), a
14 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).
15

16 COUNT 2

17 On or about November 14, 2018, in the Eastern District of Washington, the
18 Defendant, ANGEL LUIS PACHECO, did knowingly and intentionally possess
19 with intent to distribute and a mixture or substance containing a detectable amount
20 of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §
21 841(a)(1), (b)(1)(C).
22

23 COUNT 3

24 On or about November 14, 2018, in the Eastern District of Washington, the
25 Defendant, ANGEL LUIS PACHECO, knowingly possessed a machinegun, to wit:
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1 a Glock, model 23, Generation 4, .40 caliber pistol, bearing serial number
2 UKT547, in furtherance of a drug trafficking crime for which he may be
3 prosecuted in a court of the United States, to wit: possession with intent to
4 distribute a mixture or substance containing a detectable amount of N-phenyl-N-
5 [1-(2-phenylethyl)-4-piperidinyl] propanamide (aka Fentanyl), a Schedule II
6 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), as charged in
7 Count 1, and possession with intent to distribute a mixture or substance containing
8 a detectable amount of cocaine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), as
9 charged in Count 2, in violation of 18 U.S.C. § 924(c)(1)(A), (B)(ii).
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14 COUNT 4

15 On or about November 13, 2018, and continuing on or about November 14,
16 2018, in the Eastern District of Washington, the Defendant, ANGEL LUIS
17 PACHECO, knowingly possessed a firearm, to wit: a Glock, model 23, Generation
18 4, .40 caliber pistol, bearing serial number UKT547, not registered to him in the
19 National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§
20 5841, 5861(d), 5871.
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24 COUNT 5

25 On or about November 13, 2018, and continuing on or about November 14,
26 2018, in the Eastern District of Washington, the Defendant, ANGEL LUIS
27 PACHECO, did knowingly possessed a machinegun, to wit: a Glock, model 23,
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1 Generation 4, .40 caliber pistol, bearing serial number UKT547, which had been
2 modified to operate as a "machine gun," as defined in 18 U.S.C. § 921(a)(23) and
3 26 U.S.C. § 5845(b), in violation of 18 U.S.C. §§ 922(o), 924(a)(2).

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5 COUNT 6

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7 On or about November 13, 2018, and continuing on or about November 14,
8 in the Eastern District of Washington, the Defendant, ANGEL LUIS PACHECO,
9 knowing that he had been previously convicted of a crime punishable by a term of
10 imprisonment exceeding one year, did knowingly possess, in and affecting
11 interstate commerce, a firearm, to wit: a Glock, model 23, Generation 4, .40 caliber
12 pistol, bearing serial number UKT547, which firearm had theretofore been
13 transported in interstate and foreign commerce, in violation of 18 U.S.C. §§
14 922(g)(1), 924(a)(2).
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18 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

19 The allegations contained in this Indictment are hereby realleged and
20 incorporated by reference for the purpose of alleging forfeitures.
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22 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21
23 U.S.C. § 841(a)(1), as alleged in Counts 1 and 2 of this Indictment, the Defendant,
24 ANGEL LUIS PACHECO, shall forfeit to the United States of America, any
25 property constituting, or derived from, any proceeds obtained, directly or
26 indirectly, as the result of such offense(s) and any property used or intended to be
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1 used, in any manner or part, to commit or to facilitate the commission of the
2 offense(s).
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4 If any forfeitable property, as a result of any act or omission of the
5 Defendant:
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7 (a) cannot be located upon the exercise of due diligence;

8 (b) has been transferred or sold to, or deposited with, a third party;

9 (c) has been placed beyond the jurisdiction of the court;

10 (d) has been substantially diminished in value; or

11 (e) has been commingled with other property which cannot be divided
12 without difficulty;

13 the United States of America shall be entitled to forfeiture of substitute property
14 pursuant to 21 U.S.C. § 853(p).
15

16 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
17 of an offense(s) in violation of 18 U.S.C. §§ 924(c), 922(o)(1) and 922(g)(1), as
18 alleged in Counts 3, 5 and 6 of this Indictment, the Defendant, ANGEL LUIS
19 PACHECO, shall forfeit to the United States of America, any firearms and
20 ammunition involved or used in the commission of the offense(s).
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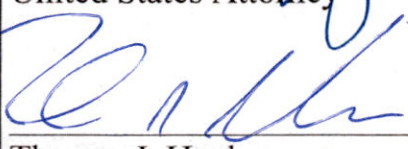
1 Pursuant to 49 U.S.C. § 80303, 26 U.S.C. § 5872 and 28 U.S.C. § 2461,
2 upon conviction of an offense in violation of 26 U.S.C. §§ 5845 (a), (f)
3 and 5861(d), as alleged in Count 4 of this Indictment, the Defendant ANGEL LUIS
4 PACHECO, shall forfeit to the United States of America, any firearms involved or
5 used in the commission of the offense
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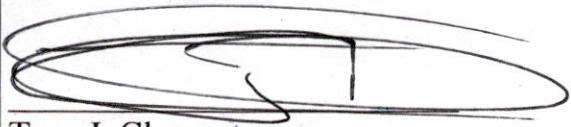
8 DATED: September 10, 2019.

9
10 A TRUE BILL

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12 Foreperson

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14 William D. Hyslop
15 United States Attorney

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17 Thomas J. Hanlon
18 Supervisory Assistant United States Attorney

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20 Troy J. Clements
21 Assistant United States Attorney
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INDICTMENT